

Message Text

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ACTION ARA-10

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TO SECSTATE WASHDC PRIORITY 7765

C O N F I D E N T I A L SANTIAGO 2138

EO 11652: GDS

TAGS: SHUM, CI

SUBJECT: CHILE -- HUMAN RIGHTS; SUPREME COURT PRESIDENT

VISITS VILLA GRIMALDI

1. AT FONMIN CARVAJAL RECEPTION FOR OAS SEC GEN ORFILA MARCH 15, I DISCUSSED SEPARATELY WITH JUSTICE MINISTER SCHWEITZER AND SUPREME COURT PRESIDENT EYZAGUIRRE ACTIVITIES THEY WERE UNDERTAKING TO FULFILL THEIR MANDATE UNDER NEW DECREE PROTECTING RIGHTS OF DETAINEES (SUPREME DECREE 187).

2. BOTH INDICATED THAT THEY WERE TAKING VERY SERIOUSLY THEIR MANDATE TO VISIT CENTERS IN WHICH, UNDER THE DECREE, DETAINEES ARE TO BE LODGED. BOTH LIKewise INDICATED RELUCTANCE TO DISCUSS THEIR SPECIFIC FINDINGS, ON GROUND THEY HAD REPORTED PRIVATELY TO PRESIDENT PINOCHET AND WERE UNDER OBLIGATION NOT TO DISCLOSE MATTERS OF SUBSTANCE.

3. NEVERTHELESS, EYZAGUIRRE MADE SOME INTERESTING COMMENTS. HE SAID THAT AT TRES ALAMOS HE HAD SEEN COMMUNIST LEADER LUIS CORVALAN, AND A NUMBER OF THE FEW VIPS STILL DETAINED WHO HAD ORIGINALLY BEEN HELD AT DAWSON ISLAND. HE SAID THAT NO ARRANGEMENTS HAD YET BEEN MADE FOR THEIR TRIAL, BUT THAT IF THEY WERE TRIED IT WOULD BE DONE UNDER "TIME OF PEACE" STATE OF SIEGE PROCEDURES PERMITTING RECOURSE TO THE SUPREME COURT APPEAL.

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4. EYZAGUIRRE SAID THAT PRISONERS HE HAD INTERVIEWED HAD MADE MANY COMPLAINTS. BUT HE STRONGLY IMPLIED THAT THESE HAD TO DO WITH THE NORMAL FRUSTRATIONS OF PRISONERS IN CONFINEMENT, AND NOT WITH INSTANCES OF TORTURE OR OTHER MISTREATMENT.

5. EYZAGUIRRE ALSO REVEALED THAT HE HAD MADE AN AS YET COMPLETELY UNPUBLICIZED VISIT TO VILLA GRIMALDI, NOTORIOUS DINA INTERROGATION CENTER. HE SAID HE HAD GONE THERE WITHOUT ANY ADVANCE NOTICE AND FOUND IT OCCUPIED ONLY BY DINA AGENTS. HE HAD OPENED ALL DOORS AND LOOKED EVERYWHERE AND HAD ASKED TO SEE THE ROOM IN WHICH INTERROGATIONS TOOK PLACE. HE SAID HE HAD FOUND IT NORMAL IN EVERY WAY, WITHOUT ANY UNUSUAL ELECTRICAL EQUIPMENT OR DEVICES. HE WAS SATISFIED THAT DINA HAD NOT KNOWN IN ADVANCE OF HIS VISIT.

6. COMMENT: FOREGOING DOES NOT OF COURSE PRECLUDE USE OF OTHER PREMISES FOR HARD-LINE INTERROGATION BY SECURITY FORCES, OR SOME SORT OF ADVANCE TIP-OFF. IT INDICATES, HOWEVER, THAT BOTH EYZAGUIRRE AND SCHWEITZER, MEN OF PRESTIGE AND INTEGRITY IN THE CHILEAN LEGAL COMMUNITY, FEEL PERSONALLY COMMITTED TO THEIR TASK OF CHECKING ON ABUSE OF DETAINEES. FOR EXAMPLE, EYZAGUIRRE AND SCHWEITZER WERE AUTHORIZED BY SEPARATE DECREE TO VISIT ONLY TRES ALAMOS, CUATRO ALAMOS, AND PUCHUNCAVI, BUT EYZAGUIRRE APPARENTLY TOOK THE INITIATIVE TO GET TO VILLA GRIMALDI ON HIS OWN. (EYZAGUIRRE CONTENTS DECREE ALLOWS HIM TO VISIT DETAINED INDIVIDUALS WHEREVER THEY ARE.) BOTH OFFICIALS UNDERSTAND THAT THE CREDIBILITY GAP WITH WHICH THEY ARE CONTENDING IS ENORMOUS. I HAVE ASKED FOR A FURTHER OPPORTUNITY FOR DISCUSSION WITH THEM, AND WILL PROBE A BIT DEEPER AT THAT TIME.
POPPER

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